
By: **Delegate Edwards**

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CHAPTER _____

1 AN ACT concerning

2 **Law Enforcement Officers' Pension System - Membership - Maryland Forest**
3 **and Parks Service Managers**

4 FOR the purpose of authorizing membership for certain law enforcement officers of
5 the Maryland Forest and Parks Service who are employed by the Department of
6 Natural Resources in the Law Enforcement Officers' Pension System; and
7 generally relating to pensions for supervisory and managerial law enforcement
8 officers of the Maryland Forest and Parks Service who are employed by the
9 Department of Natural Resources.

10 BY repealing and reenacting, with amendments,
11 Article - State Personnel and Pensions
12 Section 26-201 and 26-202
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 2003 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - State Personnel and Pensions**

18 26-201.

19 (a) Except as provided in subsection (b) of this section, this subtitle applies
20 only to:

1 (1) an employee of the Department of Natural Resources commissioned
2 by the Secretary of Natural Resources as:

3 (i) a Natural Resources police officer; [or]

4 (ii) a law enforcement officer, other than a Natural Resources police
5 officer; OR

6 (III) A SUPERVISORY OR MANAGERIAL LAW ENFORCEMENT
7 OFFICER OF THE MARYLAND FOREST AND PARKS SERVICE ON OR BEFORE JANUARY
8 1, 2004;

9 (2) a law enforcement officer employed by the Field Enforcement
10 Division;

11 (3) a member of the Maryland Transportation Authority Police Force
12 who has the powers granted to a police officer under § 4-208 of the Transportation
13 Article;

14 (4) a deputy sheriff employed by the Baltimore City Sheriff's
15 Department;

16 (5) a member of the University of Maryland Police Force who has the
17 powers granted to a police officer under § 13-601 of the Education Article;

18 (6) a law enforcement officer employed by a participating governmental
19 unit that on or after July 1, 1999 has elected to participate in the Law Enforcement
20 Officers' Pension System;

21 (7) the State Fire Marshal or a Deputy State Fire Marshal;

22 (8) a member of the Morgan State University Police Force who has the
23 powers granted to a police officer under § 14-106 of the Education Article;

24 (9) a member of the BWI Airport Fire & Rescue Department;

25 (10) a member of the Department of General Services Police Force who
26 has the powers granted to a police officer under § 4-605 of the State Finance and
27 Procurement Article;

28 (11) an employee of the Department of Health and Mental Hygiene
29 commissioned by the Secretary of Health and Mental Hygiene as a Health and Mental
30 Hygiene police officer;

31 (12) an employee of the Motor Vehicle Administration commissioned by
32 the Secretary of the Department of Transportation as a Motor Vehicle Administration
33 police officer;

34 (13) an employee of the Department of Labor, Licensing, and Regulation
35 commissioned by the Secretary of Labor, Licensing, and Regulation as a Labor,
36 Licensing, and Regulation police officer;

1 (14) a firefighter for the Martin State Airport employed by the Military
2 Department; or

3 (15) a police officer employed by the Division of Rehabilitation Services in
4 the Department of Education, certified in accordance with the Maryland Police and
5 Correctional Training Commissions.

6 (b) This subtitle does not apply to:

7 (1) a Maryland Transportation Authority police officer who transferred
8 from the Employees' Retirement System to the Employees' Pension System on or after
9 December 1, 1996;

10 (2) a deputy sheriff employed by the Baltimore City Sheriff's
11 Department who transferred from the Employees' Retirement System to the
12 Employees' Pension System on or after December 1, 1996;

13 (3) a member of the University of Maryland Police Force who transferred
14 from the Employees' Retirement System to the Employees' Pension System on or after
15 December 1, 1997;

16 (4) a law enforcement officer employed by a participating governmental
17 unit who transferred from the Employees' Retirement System to the Employees'
18 Pension System on or after December 1, 1997;

19 (5) a Maryland Port Administration police officer who transferred from
20 the Employees' Retirement System to the Employees' Pension System on or after
21 December 1, 1997;

22 (6) a State Fire Marshal or Deputy State Fire Marshal who transferred
23 from the Employees' Retirement System to the Employees' Pension System on or after
24 December 1, 1996;

25 (7) a member of the Morgan State University Police Force who
26 transferred from the Employees' Retirement System to the Employees' Pension
27 System on or after December 1, 1997;

28 (8) a member of the BWI Airport Fire & Rescue Department who
29 transferred from the Employees' Retirement System to the Employees' Pension
30 System on or after April 1, 1998;

31 (9) a member of the Department of General Services, Department of
32 Health and Mental Hygiene, Motor Vehicle Administration, or Department of Labor,
33 Licensing, and Regulation Police Force who transferred from the Employees'
34 Retirement System to the Employees' Pension System on or after April 1, 1998;

35 (10) a firefighter for the Martin State Airport employed by the Military
36 Department who transferred from the Employees' Retirement System to the
37 Employees' Pension System on or after April 1, 1998; [or]

1 (11) a police officer employed by the Division of Rehabilitation Services in
2 the Department of Education who:

3 (i) is certified in accordance with the Maryland Police and
4 Correctional Training Commissions; and

5 (ii) transferred from the Employees' Retirement System to the
6 Employees' Pension System on or after April 1, 1998; OR

7 (12) AN EMPLOYEE OF THE DEPARTMENT OF NATURAL RESOURCES
8 COMMISSIONED BY THE SECRETARY OF NATURAL RESOURCES AS A SUPERVISORY
9 OR MANAGERIAL LAW ENFORCEMENT OFFICER OF THE MARYLAND FOREST AND
10 PARKS SERVICE ON OR BEFORE JANUARY 1, 2004, WHO TRANSFERRED FROM THE
11 EMPLOYEES' RETIREMENT SYSTEM TO THE EMPLOYEES' PENSION SYSTEM ON OR
12 AFTER APRIL 1, 1998.

13 26-202.

14 (a) Except as provided in subsection (b) of this section, an individual described
15 in § 26-201 of this subtitle is a member of the Law Enforcement Officers' Pension
16 System as a condition of employment.

17 (b) (1) Subject to paragraph (2) of this subsection, membership in the Law
18 Enforcement Officers' Pension System is optional for an individual described in §
19 26-201 of this subtitle:

20 (i) who was employed by the Department of Natural Resources on
21 July 1, 1990 and who elects membership on or before December 31, 2002;

22 (ii) who was employed by the Field Enforcement Division on June
23 30, 1995 and who elects membership on or before December 31, 2002;

24 (iii) who was employed by the Maryland Transportation Authority
25 on June 30, 1997 and who elects membership on or before December 31, 2002;

26 (iv) who was employed by the Baltimore City Sheriff's Department
27 on June 30, 1997 and who elects membership on or before December 31, 2002;

28 (v) who was employed by the University of Maryland Police Force
29 on June 30, 1999 and who elects membership on or before December 31, 2002;

30 (vi) who is employed by a participating governmental unit on the
31 effective date of participation on or after July 1, 1999 for that participating
32 governmental unit and who elects membership within 6 months of the effective date
33 of participation;

34 (vii) who was employed by the Maryland Port Administration Police
35 Force and was subsequently transferred to and employed by the Maryland
36 Transportation Authority Police Force on July 1, 1998 and who elects membership on
37 or before December 31, 2002;

1 (viii) who was employed by the office of the State Fire Marshal on
2 June 30, 1998 and who elects membership on or before December 31, 2002;

3 (ix) who was employed by the Morgan State University Police Force
4 on June 30, 1999 and who elects membership on or before December 31, 2002;

5 (x) who was employed by the BWI Airport Fire & Rescue
6 Department on June 30, 2000, and who elects membership on or before December 31,
7 2002;

8 (xi) who was employed by the Department of General Services,
9 Department of Health and Mental Hygiene, Motor Vehicle Administration, and
10 Department of Labor, Licensing, and Regulation Police Force on June 30, 2000 and
11 who elects membership on or before December 31, 2002;

12 (xii) who was employed by the Military Department as a firefighter
13 at Martin State Airport on June 30, 2001, and who elects membership on or before
14 December 31, 2002; [or]

15 (xiii) who was employed on June 30, 2002, by the Division of
16 Rehabilitation Services in the Department of Education as a police officer certified in
17 accordance with the Maryland Police and Correctional Training Commissions, and
18 who elects membership on or before December 31, 2002; OR

19 (XIV) WHO AS AN EMPLOYEE OF THE DEPARTMENT OF NATURAL
20 RESOURCES WAS COMMISSIONED BY THE SECRETARY OF NATURAL RESOURCES AS A
21 SUPERVISORY OR MANAGERIAL LAW ENFORCEMENT OFFICER OF THE MARYLAND
22 FOREST AND PARKS SERVICE ON OR BEFORE JANUARY 1, 2004, AND WHO ELECTS
23 MEMBERSHIP ON OR BEFORE DECEMBER 31, 2004.

24 (2) To elect to be a member of the Law Enforcement Officers' Pension
25 System, an individual shall file a written application with the State Retirement
26 Agency.

27 (3) If an individual does not elect membership during the applicable
28 period specified under paragraph (1) of this subsection, the individual may not
29 become a member of the Law Enforcement Officers' Pension System.

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 July 1, 2004.

